

ORDINANCE NO. 20110623-127

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 309, 311, AND 315 BOWIE STREET FROM DOWNTOWN MIXED USE (DMU) DISTRICT TO DOWNTOWN MIXED USE-CENTRAL URBAN REDEVELOPMENT DISTRICT-CONDITIONAL OVERLAY (DMU-CURE-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from downtown mixed use (DMU) district to downtown mixed use-central urban redevelopment district-conditional overlay (DMU-CURE-CO) combining district on the property described in Zoning Case No. C14-2011-0041, on file at the Planning and Development Review Department, as follows:

A 0.735 acre tract of land, more or less, out of Lots 4 and 5, Raymond Plateau, Division Z, Original City of Austin, Travis County, Texas, the tract of land more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and,

A 0.237 acre tract of land, more or less, out of Lot 4, Raymond Plateau, Division Z, Original City of Austin, Travis County, Texas, the tract of land more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance (the "Property"),

locally known as 309, 311, and 315 Bowie Street, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

PART 2. The site development regulations for the Property within the boundaries of the CURE combining district established by this ordinance are modified as follows:

- A. Development of the Property may not exceed a floor-to-area ratio of 12.0 to 1.0.
- B. The maximum height of a building or structure on the Property is 400 feet from ground level.

PART 3. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

At the time of submittal of any site plan on the Property, a traffic impact analysis ("TIA") is required if the proposed development or uses on the Property, considered cumulatively with all existing or previously authorized development and uses, generates traffic that exceeds 2,000 trips per day.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the downtown mixed use (DMU) base district, and other applicable requirements of the City Code.

PART 4. This ordinance takes effect on July 4, 2011.

PASSED AND APPROVED

_____ June 23 _____, 2011 §
 §
 §

 Lee Leffingwell
 Mayor

APPROVED: _____ **ATTEST:** _____
 Karen M. Kennard
 City Attorney
 Shirley A. Gentry
 City Clerk



Professional Land Surveying, Inc.
Surveying and Mapping

Office: 512-443-1724
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3500 McCall Lane
Austin, Texas 78744

EXHIBIT A

0.735 ACRES

A DESCRIPTION OF 0.735 ACRES (APPROXIMATELY 32,011 SQ. FT.), BEING A PORTION OF LOTS 4 AND 5, RAYMOND PLATEAU, DIVISION Z OF THE OUTLOTS OF THE CITY OF AUSTIN, TEXAS, A SUBDIVISION OF RECORD IN VOLUME 1, PAGE 30 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING ALL OF A 32,057 SQUARE FOOT TRACT DESCRIBED IN A SPECIAL WARRANTY DEED TO BOWIE STREET PARTNERS, LTD., DATED JUNE 29, 2007 AND RECORDED IN DOCUMENT NO. 2007125030 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.735 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found in the southeast right-of-way line of Bowie Street (80' right-of-way width), described on said plat of Raymond Plateau, same being the northwest line of said Lot 4, for the north corner of said 32,057 square foot tract, same being the west corner of a 10,340 square foot tract described in a deed of record in Document No. 2007125029 of the Official Public Records of Travis County, Texas;

THENCE South 67°10'03" East, crossing said Lot 4, with the northeast line of said 32,057 square foot tract, same being the southwest line of said 10,340 square foot tract, a distance of 189.09 feet to a Mag nail with Chaparral washer set on a concrete wall, for the northeast corner of said 32,057 square foot tract, same being the southeast corner of said 10,340 acre tract, also being the east line of said Lot 4, also being in the west line of an apparent remainder of Outlot 11, Division Z, of the Government Outlots Adjoining the Original City of Austin, Travis County, Texas, according the map or plat thereof, on file at the Texas General Land Office;

THENCE with the east line of said 32,057 square foot tract, in part being the east line of said Lot 4 and in part being the east line of said Lot 5, also being the west line of said remainder tract, the following four (4) courses and distances:

1. South 5°43'50" East, a distance of 44.60 feet to a 1" iron pipe found;
2. South 11°13'23" East, a distance of 37.84 feet to a 60D nail found in the root of an elm tree;
3. South 1°27'49" West, a distance of 49.60 feet to a 1/2" rebar with RDS RPLS 4894 cap found;
4. South 17°35'03" East, a distance of 29.33 feet to a 1/2" rebar found for the southeast corner of said 32,057 square foot tract;

THENCE North 67°46'52" West, crossing said Lot 5, with the southwest line of said 32,057 square foot tract, in part being the west line of said remainder tract, in part being the northeast line of a tract called Parcel 1B and described in a deed of record in Document No. 2003040962 of the Official Public Records of Travis County, Texas, and in part being the northeast line of a tract called Parcel 1C, also described in the aforementioned deed, a distance of 268.27 feet to a 1/2" rebar with Chaparral cap set in the southeast right-of-way line of Bowie Street, same being the northwest line of said Lot 5, for the west corner of said 32,057 acre tract, same being the north corner of said Parcel 1C;

THENCE North 22°39'18" East, with the southeast right-of-way line of Bowie Street, same being the northwest line of said 32,057 square foot tract, in part being the northwest line of said Lot 5, and in part being the northwest line of said Lot 4, a distance of 141.91 feet to the **POINT OF BEGINNING**, containing 0.735 acres of land, more or less.

Surveyed on the ground February 11, 2011. Bearing Basis: Grid azimuth for Texas Central Zone, 1983/93 HARN, values from LCRA control network. Attachments: Drawing 372-010-BASE.

EJ 2/11/2011

Eric J. Dannheim
Registered Professional Land Surveyor
State of Texas No. 6075





Professional Land Surveying, Inc.
Surveying and Mapping

Office: 512-443-1724

Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

EXHIBIT B

0.237 ACRES

A DESCRIPTION OF 0.237 ACRES (APPROXIMATELY 10,314 SQ. FT.), BEING A PORTION OF LOT 4, RAYMOND PLATEAU, DIVISION Z OF THE OUTLOTS OF THE CITY OF AUSTIN, TEXAS, A SUBDIVISION OF RECORD IN VOLUME 1, PAGE 30 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING ALL OF A 10,340 SQUARE FOOT TRACT DESCRIBED IN A SPECIAL WARRANTY DEED TO BOWIE STREET PARTNERS, LTD., DATED JUNE 29, 2007 AND RECORDED IN DOCUMENT NO. 2007125029 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.237 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found in the southeast right-of-way line of Bowie Street (80' right-of-way width), described on said plat of Raymond Plateau, same being the northwest line of said Lot 4, for the west corner of said 10,340 square foot tract, same being the north corner of a 32,057 square foot tract described in a deed of record in Document No. 2007125030 of the Official Public Records of Travis County, Texas;

THENCE North 22°29'37" East, with the southeast right-of-way line of Bowie Street, same being the northwest line of said Lot 4, also being the northwest line of said 10,340 square foot tract, a distance of 59.53 feet to a 1/2" rebar found for the north corner of said 10,340 square foot tract, same being the west corner of a tract described in a deed to Harvey Bell of record in Volume 10794, Page 1218 of the Real Property Records of Travis County, Texas;

THENCE South 67°35'19" East, crossing said Lot 4 with the northeast line of said 10,340 square foot tract, same being the southwest line of said Bell tract according to a Boundary Line Agreement of record in Volume 11540, Page 808 of the Real Property Records of Travis County, Texas, a distance of 153.84 feet to a 1/2" rebar found for the northeast corner of said 10,340 square foot tract, same being the south corner of said Bell tract, also being in the east line of said Lot 4, same being the west line of an apparent remainder of Outlot 11, Division Z, of the Government Outlots Adjoining the Original City of Austin, Travis County, Texas, according the map or plat thereof, on file at the Texas General Land Office;

THENCE South 7°35'03" East, with the east line of said 10,340 square foot tract, same being the east line of said Lot 4, also being the west line of said remainder tract, a distance of 70.34 feet to a Mag nail with Chaparral washer set on a concrete wall, for the southeast corner of said 10,340 square foot tract, same being the northeast corner of said 32,057 square foot tract, from which a 1" iron pipe found for an angle point in the east line of said 32,057 square foot tract bears South 5°43'50" East, a distance of 44.60

feet, and from said iron pipe, a 60D nail found in the root of an elm tree bears South 11°13'23" East, a distance of 37.84 feet;

THENCE North 67°10'03" West, crossing said Lot 4 with the southwest line of said 10,340 square foot tract, same being the northeast line of said 32,057 square foot tract, a distance of 189.09 feet to the **POINT OF BEGINNING**, containing 0.237 acres of land, more or less.

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Eric 2/11/2011

Eric J. Dannheim
Registered Professional Land Surveyor
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